

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**COURTLAND DEWAYNE LINDSAY,**

**Plaintiff,**

**v.**

**TRINITY MOTHER FRANCES  
HOSPITAL EMERGENCY CARE  
CENTER,**

**Defendant.**

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**Civil Action No. 6:13-cv-793-LED-JDL**

**ORDER ADOPTING REPORT AND RECOMMENDATION OF  
UNITED STATES MAGISTRATE JUDGE**

The above entitled and numbered civil action was assigned to United States Magistrate Judge John D. Love pursuant to General Order 14-10 and referred pursuant to 28 U.S.C. § 636. The Report of the Magistrate Judge, which contains his proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration (Doc. No. 9). The report recommends that the complaint be dismissed with prejudice for lack of subject matter jurisdiction and for failure to state a claim upon which relief may be granted pursuant to FED. R. Civ. P. 12(b)(1) and (6) and 28 U.S.C. § 1915(e)(2). The report further recommends that any further filings that fail to state an appropriate basis for federal jurisdiction, or that fail to state a claim upon which relief may be granted, may result in the denial of his motion to proceed *in forma pauperis* and the imposition of a monetary sanction.

Plaintiff filed objections (Doc. No. 10) that fail to address the lack of subject matter jurisdiction or the failure to state a claim upon which relief may be granted.

The Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct. Therefore, the Court hereby adopts the Report of the United States Magistrate Judge as the findings and conclusions of this Court.

Accordingly, it is **ORDERED** that the cause of action be **DISMISSED WITH PREJUDICE**.

So **ORDERED** and **SIGNED** this 25th day of August, 2014.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

**LEONARD DAVIS**  
**UNITED STATES DISTRICT JUDGE**